

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

JAVIER ESCAMILLA,

Plaintiff,

-against-

UNCLE PAUL'S PIZZA & CAFE INC., DOING
BUSINESS AS UNCLE PAUL'S PIZZA, DNP
RESTAURANT PARTNERS INC., DOING BUSINESS
AS PAUL'S ON TIMES SQUARE, PASKO PAUL
NICAJ, and ABIDIN DINO REDZIC,

Defendants.

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #:
DATE FILED: 4/24/2017

ORDER

1:16-cv-06305-ALC-KHP

KATHARINE H. PARKER, UNITED STATES MAGISTRATE JUDGE

Plaintiff, Javier Escamilla, brings this putative class and collective action against Defendants, alleging violations of the Fair Labor Standards Act, 29 U.S.C. §§ 201 *et seq.*, and the New York Labor Law. Defendants now seek an order staying depositions of the individually named Defendants until after the Court rules on Plaintiff's motion for conditional class certification. (Doc. No. 41.) In response, Plaintiff requests that he be allowed to depose the individually named Defendants irrespective of the Court's decision on the collective action motion. He further states that he will not seek to recall either individual for further deposition. (Doc. No. 42.) Plaintiff also seeks to compel production of certain e-discovery and responses to unspecified interrogatories. (Doc. No. 47.)

Plaintiff's request to compel production of documents and information is denied without prejudice. Plaintiff is directed to submit a letter via ECF to the Court identifying and attaching the specific document requests and interrogatories at issue, together with Defendants' objections and responses to the same for the Court's consideration. Defendants' request to stay the depositions of the individual Named Defendants is denied. The parties are

directed to select mutually convenient dates for the depositions of the individually named Defendants Pasko Paul Nicaj and Abidin Dino Redzic.

The Court respectfully asks the Clerk to terminate the motions pending at document numbers 40 and 41.

SO ORDERED.

Dated: April 24, 2017
New York, New York

Katharine H Parker

KATHARINE H. PARKER
United States Magistrate Judge